



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 13.6

Subject: Minor Violations: Delinquent Youth on Probation or Aftercare

Supersedes: DCS 13.6, 05/15/97

Local Policy: No

Local Procedures: No

Training Required: No

Applicable Practice Model Standard(s): Yes

Approved by:

Effective date: 05/15/97

Revision date: 03/01/05

Application

To All Department of Children's Services Case Managers With Probation and Aftercare Responsibilities

Authority: TCA 37-1-137 (d), TCA 37-1-139 (b, c, & d), 37-5-106

Policy

Case managers shall consider corrective actions that will enhance the youth's adjustment in the least restrictive environment possible when investigating minor violations of the rules of probation or aftercare.

Procedures

A. Investigating minor violations

1. The case manager will verify minor violations, develop and utilize alternative treatment resolutions, and document findings and corrective actions taken in TN Kids case recordings.
2. All alleged minor violations must be based upon written rules and conditions of supervision. The case manager will promptly make an investigation into the facts and circumstances surrounding each alleged violation.

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B. Criteria for consideration of minor violations

1. Minor violations include but are not limited to the following:
 - a) Curfew violations;
 - b) Truancy;
 - c) Failure to follow school rules;
 - d) Failure to report as directed by the case manager;
 - e) Absconding from supervision for less than 72 hours;
 - f) Failure to notify case manager and/or gain approval before changing residence;
 - g) Minor traffic violations;
 - h) School suspension; and
 - i) Failure to comply with special conditions of supervision.
2. Frequent minor violations shall be considered serious and dealt with in a formalized manner in accordance with DCS policy [13.7, Major Violations: Delinquent Youth on Probation or Aftercare](#).
3. Consequences for minor violations will be resolved in the community. A youth will not be recommended for custody for minor violations.

C. Resolutions for minor violations

When minor violations are confirmed, the case manager should consider alternatives to revocation. The case manager may confer with the team leader and/or other team members regarding alternatives to revocation, including, but not limited to:

1. A child and family team meeting;
2. Counseling by the case manager;
3. Imposition of special conditions of supervision;
4. Increasing the intensity of supervision;
5. Involvement with a community or self-help organization;
6. Referral for psychological assessment; and
7. Aiding and encouraging parents/guardians to fulfill their role as primary caretakers.

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D. Documenting minor violations Results of all investigative efforts must be documented fully in TN Kids case recordings.

Forms

None

Collateral Documents

None

Standards

DCS Practice Model Standard – 8-300

Glossary

<i>Term</i>	<i>Definition</i>
<i>Aftercare:</i>	The period of supervision of a delinquent youth beginning at release from the custody of the Department of Children's Services and continuing until the youth is removed from legal supervision.
<i>Minor Violations:</i>	Those violations of probation or aftercare that do not present serious risk to the safety of the community at large. Minor violations include technical violations such as failing to attend school, or minor traffic violations.
<i>Probation:</i>	An indefinite period of time during which DCS provides supervision and services to a youth and family following an adjudication of delinquency by the juvenile court.